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## Declaration and Power of Attorney For Patent Application

### 特許出願宣言書及び委任状

### Japanese Language Declaration

### 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

WAVELENGTH DIVISION MULTIPLEX TRANSMISSION

SYSTEM AND COMMUNICATION DEVICE

上記発明の明細書（下記の欄で×印がついていない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約  
国際出願番号を \_\_\_\_\_ とし、  
(該当する場合) \_\_\_\_\_ に訂正されました。

☐ was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

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## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

### Prior Foreign Application(s)

外国での先行出願

|  |                                   |
|--|-----------------------------------|
| <u>211428/2000</u><br>(Number)<br>(番号) | <u>JAPAN</u><br>(Country)<br>(国名) |
|--|-----------------------------------|

|   |  |
|---|--|
| <u>                    </u><br>(Number)<br>(番号) | <u>                    </u><br>(Country)<br>(国名) |
|---|--|

私は、第35編米国法典119条(e)項に基づいて下記の米国外特許出願規定に記載された権利をここに主張いたします。

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| <u>                    </u><br>(Application No.)<br>(出願番号) | <u>                    </u><br>(Filing Date)<br>(出願日) |
|--|---|

私は、下記の米国法典第35編120条に基づいて下記の米国外特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国外特許出願に開示されていない限り、その先行米国外出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

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| <u>                    </u><br>(Application No.)<br>(出願番号) | <u>                    </u><br>(Filing Date)<br>(出願日) |
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| <u>                    </u><br>(Application No.)<br>(出願番号) | <u>                    </u><br>(Filing Date)<br>(出願日) |
|--|---|

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じることに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent of inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

優先権主張なし

|   |                          |
|---|--------------------------|
| <u>July 12, 2000</u><br>(Day/Month/Year Filed)<br>(出願年月日) | <input type="checkbox"/> |
|---|--------------------------|

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|--|--------------------------|
| <u>                    </u><br>(Day/Month/Year Filed)<br>(出願年月日) | <input type="checkbox"/> |
|--|--------------------------|

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

|  |   |
|--|---|
| <u>                    </u><br>(Application No.)<br>(出願番号) | <u>                    </u><br>(Filing Date)<br>(出願日) |
|--|---|

I hereby claim benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States of PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

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| <u>                    </u><br>(Status: Patented, Pending, Abandoned)<br>(現況: 特許許可済、係属中、放棄済) | <u>                    </u> |
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| <u>                    </u><br>(Status: Patented, Pending, Abandoned)<br>(現況: 特許許可済、係属中、放棄済) | <u>                    </u> |
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and the such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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## Japanese Language Declaration (日本語宣言書)

委任状： 私は下記の発明者として、本出願に関する一切の  
手続きを米特許商標局に対して遂行する弁理士または代理人  
として、下記の者を指名いたします。(弁護士、または代理  
人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint  
the following attorney(s) and/or agent(s) to prosecute this  
application and transact all business in the Patent and Trademark  
Office connected therewith (*list name and registration number*)

George H. Spencer (Reg. No. 18,038), Robert J. Frank (Reg. No. 19,112), Norman N. Kunitz (Reg. No. 20,586),  
Gabor J. Kelemen (Reg. No. 21,016), John W. Schneller (Reg. No. 26,031), Marina V. Schneller (Reg. No. 26,032),  
Robert Kinberg (Reg. No. 26,924), Allen Wood (Reg. No. 28,134), Ashley J. Wells (Reg. No. 29,847),  
Richard d. Schmidt (Reg. No. 31,301), James R. Burdett (Reg. No. 31,594), Michael A. Gollin (Reg. No. 31,957),  
Leo J. Jennings (Reg. No. 32,902), Catherine M. Voorhees (Reg. No. 33,074), Gary L. Shaffer (Reg. No. 34,502),  
G. Abe Zachariah (Reg. No. 38,366), Julie A. Petruzzelli (Reg. No. 40,769), Catherine A. Ferguson (Reg. No. 40,877),  
Michael A. Sartori (Reg. No. 41,289), Fei-Fei Chao (Reg. No. 43,538), Charles C. P. Rories (Reg. No. 43,381)  
and Jeffrey W. Gluck (Reg. No. 44,457), all at 1201 New York Avenue, N. W., Suite 1000, Washington, D.C. 20005-3917.

書類送付先

Send Correspondence to:

Address all correspondence to **VENABLE**, Post Office Box 34385, Washington, D.C. 20043-9998.

直接電話連絡先: (名前及び電話番号)

Direct Telephone Calls to: (*name and telephone number*)**Robert J. Frank****VENABLE****Telephone: (202) 962-4800, Telefax: (202) 962-8300**

唯一または第一発明者名

Full name of sole or first inventor

Mikiya SUZUKI

発明者の署名

日付

Inventor's signature

Date

Mikiya Suzuki

February 27, 2001

住所

Residence

Chiba, Japan

国籍

Citizenship

Japanese

私書箱

Post Office Address

c/o Oki Electric Industry Co., Ltd.

7-12, Toranomon 1-chome, Minato-ku, Tokyo, Japan

第二共同発明者名

Full name of second joint inventor, if any

第二共同発明者の署名

日付

Second inventor's signature

Date

住所

Residence

国籍

Citizenship

私書箱

Post Office Address

(第三以降の共同発明者についても同様に記載し、署名をす  
ること)

(Supply similar information and signature for third and subsequent  
joint inventors.)

**ASSIGNMENT OF APPLICATION FOR UNITED STATES LETTERS PATENT**

**WHEREAS** Mikiya SUZUKI

hereinafter referred to collectively as the assignor, has invented a certain improvement relating to **"WAVELENGTH DIVISION MULTIPLEX TRANSMISSION SYSTEM AND COMMUNICATION DEVICE"**

☒ the inventor(s) declaration for said application being executed concurrently with the execution of this instrument; said application to be filed in the United States Patent and Trademark Office;

☐ said application having been filed in the United States Patent and Trademark Office on,

authorization being hereby given to my attorneys, **George H. Spencer, Robert J. Frank, Norman N. Kunitz, Gabor J. Kelemen, John W. Schneller, Marina V. Schneller, Robert Kinberg, Allen Wood, Ashley J. Wells, Richard D. Schmidt, James R. Burdett, Michael A. Gollin, Leo J. Jennings, Catherine M. Voorhees, Gary L. Shaffer, G. Abe Zachariah, Julie A. Petruzzelli, Catherine A. Ferguson, Michael A. Sartori, Fei-Fei Chao, Charles C. P. Rories and Jeffrey W. Gluck**, of VENABLE, Post Office Box 34385, Washington, D.C. 20043-9998, to insert here in parentheses (Application Serial No.) the application serial number of said application when known;

☐ said application having been filed under the Patent Cooperation Treaty on \_\_\_\_\_, Serial No. \_\_\_\_\_, the United States of America being designated.

**AND WHEREAS** Oki Electric Industry Co., Ltd.

of 7-12, Toranomon 1-chome, Minato-ku, Tokyo, Japan

hereinafter referred to as the assignee, is desirous of acquiring the entire right, title and interest in and to said application, including any and all divisions and continuations thereof, and in and to said invention and any and all patents which may be granted therefor, including any and all renewals, reissues and prolongations thereof;

**NOW THIS WITNESSETH**, that for and in consideration of One Dollar (\$1.00), and other good and valuable consideration paid by said assignee to said assignor, the receipt of which is hereby acknowledged, said assignor hereby assigns, sells and transfers to said assignee, and said assignee's successors and assigns, the full and exclusive right, title and interest in and to said application, including any and all divisions and continuations thereof, and in and to said invention and any and all patents which may be granted therefor, including any and all renewals, reissues and prolongations thereof; said assignee, and said assignee's successors and assigns, to have, hold, exercise and enjoy the said application, including any and all divisions and continuations thereof, and the said invention and any and all patents which may be granted therefor, including any and all renewals, reissues and prolongations thereof, with all the rights, powers, privileges and advantages in anywise arising from or appertaining thereto, for and during the term or terms of any and all such patents when granted, including any and all renewals, reissues and prolongations thereof, for the use and benefit of said assignee, and said assignee's successors and assigns, in as ample and beneficial a manner as the said assignor might or could have held and enjoyed the same, if this assignment had not been made.

AND said assignor hereby agrees to perform, upon the request of said assignee, or said assignee's successors or assigns, any and all acts relating to the obtaining or to the asserting of said patents, including any and all renewals, reissues and prolongations thereof.

AND said assignor authorizes and requests the Commissioner of Patents and Trademarks to issue Letters Patent on said application, and on any and all divisions and continuations thereof, to said assignee, and said assignee's successors and assigns, in accordance herewith.

EXECUTED, February 27, 2001.

**WITNESS:**

**ASSIGNOR:**

Signature: Masaru Fukushima

Signature: Mikiya Suzuki

Name: Mikiya SUZUKI

**VENABLE**

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